

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Allowed: September 25, 2008
IMAI ET AL. Atty. Ref.: 1035-650; Confirmation No. 7106
Appl. No. 10/589,390 TC/A.U. 2892
Filed: August 15, 2006 Examiner: Dang, P.T.

For: THIN FILM TRANSISTOR, METHOD OF MANUFACTURING SAME, DISPLAY DEVICE, METHOD OF MODIFYING AN OXIDE FILM, METHOD OF FORMING AN OXIDE FILM, SEMICONDUCTOR DEVICE, METHOD OF MANUFACTURING SEMICONDUCTOR DEVICE, AND APPARATUS FOR MANUFACTURING SEMICONDUCTOR DEVICE

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January 7, 2009

Mail Stop 313(c) – **Special Processing Submission**
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313(c)(2)

It is hereby requested that the above-identified application be withdrawn from issue, the Issue Fee having been paid on December 17, 2008.

The PTO PAIR indicates the patent application will issue January 27, 2009 and that an Issue Notification has been mailed January 7, 2009. The Issue Notification is not available to the applicants in PAIR and the Issue Notification has not been received by the undersigned.

Withdrawal from issue is necessary so that the request for continued examination (RCE) in compliance with 37 CFR 1.114, and accompanying Information Disclosure Statement, both of which are submitted concurrently herewith, can be considered. It is

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submitted that providing an opportunity for the documents referenced in the Information Disclosure Statement to be made of record constitutes good and sufficient reason why withdrawal of this application from issue is necessary.

The undersigned has received instructions January 7, 2009 that the Japanese references listed in the attached PTO 1449 Form were first cited in an Office Action mailed December 16, 2008 by the Japanese Patent Office in connection with Japanese Patent Application No. 2005-039847, which is a patent application claiming domestic priority from Japanese application no. 2004-093703, which is also a priority application for the above-identified application.

The Petition and attached associated papers are being filed electronically.

Favorable consideration and grant of the present Petition, preferably by return facsimile to the undersigned at 703-816-4100, are requested.

The fee required under 37 CFR 1.17(h) (fee code 1464; \$130) is submitted herewith.

It is respectfully requested that this Petition be granted.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____ /B. J. Sadoff/
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